

EXHIBIT 2

Lance Raphael

From: Lance Raphael
Sent: Wednesday, July 23, 2008 8:39 AM
To: 'mbelongia@mdb-law.com'
Cc: Stacy Bardo; 'nsinn@mdb-law.com'; 'cflor327@hotmail.com'
Subject: Flores v. Diamond Bank

Mark D. Belongia
Belongia & Shapiro, LLP
53 W. Jackson Blvd, Suite 315
Chicago, IL 60604

Mark;

Please send me the subpoenas you issued in this case including the one to my client's medical provider and bank. We did not receive notice of the subpoenas, but were called by our client when her doctor called her regarding the matter. If the subpoenas were sent without proper notice to our office we will move to quash them on that basis as well.

Also, per our 37.2 conversation of yesterday, please provide me with proof of notice to the doctor of the withdrawal of the subpoena or I will have to add that one to my motion to quash. Once I obtain proof of the withdrawal of that subpoena I will inquire as to obtaining an affidavit from the doctor's office as to my client having visited on the day in question.

I want to reiterate that your issuance of these broad ranging subpoenas with regard to personal medical and financial matters is harassing and serves no legitimate purpose. There was no basis to ask for my client's medical records and no basis to ask for her bank records.

You asked her what she was doing when she came upon the ATM, she answered that question. It is entirely irrelevant in the first place as it does not bear upon any issue in this case as it is a strict liability case and further inquiry to my client's doctor is well beyond the call.

As for asking for my client's bank records for a three year period, this too is totally harassing. There is no issue upon which this material would bear any relevance. Further, whether my client has ever been charged a transaction fee by any other bank is entirely irrelevant to this case which bears upon your client's conduct. If you want, we will stipulate she has been charged such ATM fees in the past. This does not help or harm your case because the statute says you can not charge the fee if the notice is missing, period. There is no issue about other banks doing it.

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"It's the action, not the fruit of the action that's important. You have to do the right thing. It may not be in your power, may not be in your time, that there'll be any fruit. That does not mean you stop doing the right thing. You may never know what results come from your action. But if you do nothing, there will be no results." ~Mahatma Gandhi